

REMARKS

The claims stand rejected in view of U.S. Patent 5,946,666 issued to Nevo et al. both under 35 USC 102 as being anticipated, and under 35 USC 103 as being obvious.

As explained previously, the invention has to do with techniques for evaluating different types of funding sources for different types of financial products. Much the same as the other prior art previously of record, Nevo does not disclose or suggest how to compare and select between funding sources from two different classes.

More particularly, Nevo is concerned with monitoring financial securities or markets to simply provide information concerning their status. Nevo is not concerned with comparing different classes of investments, to select which is the "best" of them, or to determine their suitability for funding a plan.

Nevo does have an example where an issue of common stock on the New York Stock Exchange has assigned values to be monitored, including dividend values, yield, price to earnings ratio, sales volume index, hi-lo prices, and dividend index. (Nevo, col. 4 lines 13-34). Nevo also suggests that a mutual fund has assigned values that are essentially the same as the NYSE common stock, but which might also include expense ratios, or net asset values (Nevo col. 4 lines 51-62).

However, Applicants' claim 1 as previously amended require comparison of two different products of two different investment classes. For example, the Applicants' invention permits comparison of the attributes of, for example, an insurance policy against a stock mutual fund. Common stock shares and stock mutual funds are not, it is respectfully submitted, of different classes of investment. And even if these are considered to be of different "classes" of investments, Nevo is also not even attempting to compare their suitability for funding a plan. Nevo is simply reporting statistics. For these reasons alone, Nevo neither anticipates nor renders obvious Applicant's claims.

Furthermore, Applicant's claims not only also require assigning weights to the attributes, and generating a weighted product score, but also generating a weighted product score for each class of financial product. Nowhere in Nevo is the assignment of weights to attributes, or the generation of a weighted score suggested. At the portions of Nevo cited by the Examiner (col. 7

lines 1-35 and Fig. 2 all that is suggested is that a user can input a range of values (baseline, minimum, maximum) to create a "profile" for a security -- and then the security indexes are measured against this profile. There is also a suggestion that Nevo calculates a deviation for the values -- however these do not amount to the generating a weighted product score for each of two different classes of financial products, to determine which is a more suitable source of funding. Nevo's method, for example, could not be used to decide the suitability of an insurance policy versus a stock mutual fund, for example -- it would merely report the price deviations.

With regard to Applicant's claim 4, Nevo does not collect any information at all concerning the grade of financial strength of the financial product provider -- merely the price attributes of a particular security. At least claim should be allowed.

As to the rejection of claims 7 and 8, all that Nevo suggests (col. 11, lines 16-20) is that the same security index value can be grouped into more than one subsystem. This does not amount to a suggestion that attributes are assigned to categories, or that the categories are assigned weights in the analysis process.

The various rejections of the dependent claims in view of certain combinations of Nevo and the Powers 6,684,190 and Davis (U.S. Patent Appl. 2001-0049612) prior art should be withdrawn for the same reasons stated above.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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